

Exhibit 11

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

STATE OF MISSOURI ex rel. ERIC S.
SCHMITT, Attorney General, *et al.*;

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official capacity
as President of the United States, *et al.*;

Defendants.

Case No. 3:22-cv-01213

DECLARATION OF DR. JAYANTA BHATTACHARYA

I, Dr. Jayanta Bhattacharya, declare as follows:

1. I am an adult of sound mind and make this statement voluntarily, based upon my knowledge, education, and experience.

2. I am a Professor of Health Policy at Stanford University School of Medicine and a research associate at the National Bureau of Economic Research. I am also Director of Stanford's Center for Demography and Economics of Health and Aging. I hold an M.D. and Ph.D. from Stanford University. I have published 170 scholarly articles in peer-reviewed journals in the fields of medicine, economics, health policy, epidemiology, statistics, law, and public health, among others. My research has been cited in peer-reviewed scientific literature more than 16,800 times.

3. I have dedicated my professional career to the analysis of health policy, including infectious disease epidemiology and policy, and the safety and efficacy of medical interventions. I have studied extensively and commented publicly on the necessity and safety of vaccine requirements for those who have contracted and recovered from COVID-19 (individuals with "natural immunity"). I am intimately familiar with the emergent scientific and medical literature

on this topic and pertinent government policy responses to the issue both in the United States and abroad.

4. I have served as an expert witness in many cases involving challenges to COVID-19 restrictions such as mask mandates and lockdowns. My writings on COVID-19-related issues have appeared in both scientific journals (like the *Journal of the American Medical Association* and the *International Journal of Epidemiology*) and in the popular press around the world (including the *Wall Street Journal*, *Newsweek*, *the Telegraph*, *the Spectator*, and many other outlets). I have appeared as an invited guest on national and international news programs, including Fox News, BBC, CNN, NPR, Sky News, NewsMax, GB News, and other stations in the US, the UK, Australia, and elsewhere.

5. Since 2022 and to the present, I have also been heavily involved in advocating for free speech rights in the US and worldwide. I have published op-eds, appeared on TV, given speeches at scholarly conferences, and written extensively on Twitter/X to argue that government pressure on social media to censor disfavored views in the name of suppressing misinformation is devastating to American free speech rights, and makes honest discussions of scientific matters that impinge on public health impossible. See @DrJayBhattacharya, X (Aug. 11, 2024), <https://x.com/DrJBhattacharya/status/1822492638723158100>.

6. Since 2022 and to the present, I have advocated in favor of stronger regulation of virological research on dangerous pathogens that have the potential to start a pandemic such as the Covid pandemic. To this end, I have joined the board of a non-profit organization called BioSafety Now, which seeks to educate the public about this danger and develop ideas for regulation that would limit this risk. I have publicly advocated for these ideas on Twitter/X and in published op-eds, including in the *NY Post*. See Jay Bhattacharya and Bryce Nickels, *Why science should never*

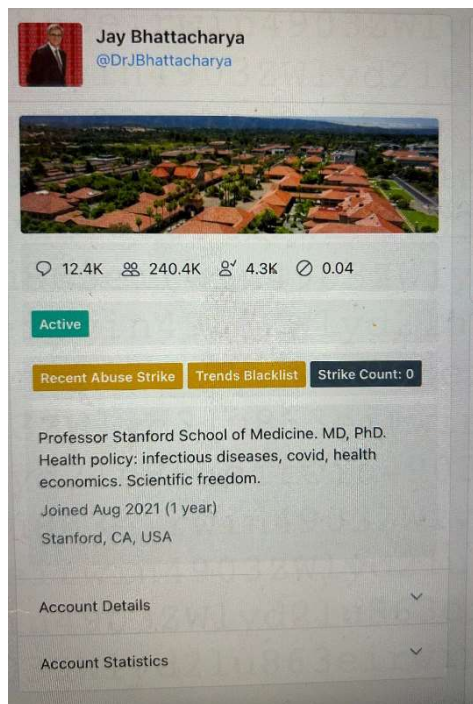
try to triumph over nature, THE NEW YORK POST (Jul. 20, 2024); @DrJayBhattacharya, X (Sept. 3, 2024), <https://x.com/DrJBhattacharya/status/1830846054797099261>; @DrJayBhattacharya, X (Aug. 9, 2024), <https://x.com/DrJBhattacharya/status/1821934575515468091>.

7. I have also participated in social media settings on matters related to the upcoming presidential election. For instance, in April 2024, I interviewed Nicole Shanahan, the vice-presidential candidate running with Robert F. Kennedy Jr. for my podcast channel called, *Illusion of Consensus*. See *The Illusion of Consensus Podcast: Vice Presidential Candidate Nicole Shanahan* (Apr. 10, 2024), <https://www.illusionconsensus.com/p/ep-46-nicole-shanahan-on-her-vice>. I posted the video of this interview—which covered topics on pandemic management and free speech—on YouTube and on Twitter/X. See *The Illusion of Consensus Podcast: Vice Presidential Candidate Nicole Shanahan* (Apr. 10, 2024), <https://www.youtube.com/watch?v=US-dw0Y0BLY>; @DrJayBhattacharya, X (Apr. 10, 2024) <https://x.com/DrJBhattacharya/status/1778170532627947577>. In August 2024, Shanahan interviewed me for her podcast with the title “The Council of the Cancelled”, posted on Twitter/X and elsewhere. @NicoleShanahan, X (Aug. 13, 2024), <https://x.com/NicoleShanahan/status/1823472202844385759>.

8. Previous discovery in this case showed that the federal government specifically targeted the ideas I have publicly shared about the proper management of the pandemic for censorship and suppression. Among the topics of suppression shown include my publicly expressed opinions on the lack of efficacy of mask mandates, the rapidly waning efficacy of Covid vaccination against Covid infection and transmission, the harms and lack of efficacy of school closures, the likely laboratory origin of the SARS-CoV-2 virus that causes Covid, and other related topics.

9. I joined the social media site now called X (previously Twitter) in August 2021 to advocate for better pandemic management and for free speech. While I had initial success in drawing followers to my account, by the end of 2022, based on my impressions of my engagement with my followers, my sense was that my messages were reaching primarily people who directly followed me, rather than the broader public who frequented Twitter.

10. In late 2022, Elon Musk purchased Twitter. Among his first actions, he invited independent journalists, including the Free Press's Bari Weiss to visit Twitter headquarters and observe Twitter's internal databases and report on them publicly. In Bari Weiss's report (colloquially called the Twitter Files, <https://x.com/bariweiss/status/1601011428579717121>) she found an indication in the Twitter databases that Twitter in had placed me on a "trends blacklist" to prevent the broader public from seeing my posts, without ever informing me that they had done so.



11. Shortly after Bari Weiss's report, I received an invitation from Elon Musk to visit Twitter headquarters in San Francisco, which I accepted. While I was there, I confirmed Weiss's reporting, observing the entry (duplicated on the left) from the Twitter database, indicating that I had indeed been placed by the pre-Elon Musk Twitter on a "blacklist." At that time, I asked the Twitter engineer assigned to me by Musk when I had been first placed on the blacklist. After some searching, he informed me that Twitter had placed me on the blacklist when I first joined Twitter in August 2021, without informing me of this designation. I was unable to determine why Twitter had taken this action with respect to my account, and in particular, I was unable to determine

whether Twitter had done this at the behest of prodding by the Biden Administration or as an independent action.

12. I believe my ideas on Covid management place me at risk for ongoing harm from social media censorship efforts by the Federal government. Many of the topics of my public engagement and advocacy touch on topics that are of continuing political interest, including the origin of the Covid virus and free speech. Discovery in this case has already demonstrated the government's role in suppressing public discussion of the lab leak theory. Also, my public engagement with Robert F. Kennedy Jr's VP candidate, talking on topics related to pandemic management and vaccines, places me at particular risk for ongoing censorship, as RFK Jr. has been the specific target of censorship activities by the federal government. Finally, I am curious to know whether Twitter placed me on its "trends blacklist" as a consequence of pressure from the Biden Administration. More discovery is needed to establish the evidentiary record of this ongoing censorship.

I swear or affirm under penalty of perjury that the foregoing is true and correct.

Dated: __Sept. 8, 2024_____

Signed: /s/ Jayanta Bhattacharya